

REMARKS

The Office Action mailed February 15, 2007, has been received and reviewed. Paragraph [0010] has been amended to correct a typographical error. No new matter has been added. Applicants respectfully request the objections be withdrawn. Claims 1 through 41 are currently pending in the application. Claims 1 through 41 stand rejected. Applicants have amended claims 1, 16 and 30, and respectfully request reconsideration of the application as amended herein.

Claim Objections

Claims 16-41 and the specification paragraph [10] are objected to under 37 CFR 1.75(c) as being improper, the phrase “traffic-to-power (T/P)” should be “---traffic-to-pilot (T/P)---”.

Applicants have amended claims 16 and 30 and the specification paragraph [0010] as suggested and respectfully request the objections be withdrawn.

35 U.S.C. § 102 Anticipation Rejections

Anticipation Rejection Based on U.S. Patent Publication No. 2003/0050084 to Damnjanovic et al.

Claims 1-41 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Damnjanovic et al. (U.S. Patent No. 2003/0050084). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants submit that the Damnjanovic reference does not and cannot anticipate under 35 U.S.C. § 102 the presently claimed invention of independent claim 1 and claims 2-15 depending therefrom, independent claim 16 and claims 17-29 depending therefrom, and independent claim 30 and claims 31-41 depending therefrom, because the Damnjanovic reference does not describe, either expressly or inherently, the identical inventions in as complete detail as are contained in the claims.

Applicants' invention as presently claimed in amended independent claim 1, recites:

1. A method for controlling power in a wireless communication system having multiple reverse-link communication channels, the method comprising:

adjusting power levels of a first set of channels and a corresponding pilot channel according to a fixed ratio, the first set of channels including at least one traffic channel; and

adjusting traffic-to-pilot (T/P) ratios for one or more remaining channels independently of the power level of the pilot channel. (Emphasis added.)

Applicants' invention as presently claimed in amended independent claim 16, recites:

16. A system for controlling power in a wireless communication system having multiple reverse-link communication channels, comprising:

a base station; and

a mobile station coupled to the base station via a wireless communication link;

wherein the base station is configured to receive data from the mobile station on a plurality of reverse-link channels on the wireless communication link; and

wherein the base station is configured to *adjust a power level for a first set of reverse-link channels including at least one traffic channel and a power level for a pilot channel according to a fixed ratio, and to separately adjust a traffic-to-pilot (T/P) ratio for each of one or more additional reverse-link channels.* (Emphasis added.)

Applicants' invention as presently claimed in amended independent claim 30, recites:

30. A base station operable to communicate with a mobile station via a wireless communication channel, wherein the base station comprises:

a processing subsystem; and

a transceiver subsystem coupled to the processing subsystem;

wherein the transceiver subsystem is configured to receive signals on *a first set of reverse-link channels including at least one traffic channel*, a pilot channel and one or more additional reverse-link channels; and

wherein the base station is configured to *adjust power levels for the first set of reverse-link channels and a power level for the pilot channel according to a fixed ratio, and to separately adjust a traffic-to-pilot (T/P) ratio for each of the one or more additional reverse-link channels.* (Emphasis added.)

The Damnjanovic reference generally discloses a fixed gain between a *control channel* and a pilot channel and a variable gain between the pilot channel and a traffic channel.

Specifically, the Damnjanovic reference discloses:

FIG. 6 is a graph illustrating the transmit power level of a mobile station 100 on the reverse pilot, traffic, and rate control channels in a first embodiment of the present invention. In the embodiment shown in FIG. 6, **the gain of the reverse rate control channel is fixed relative to the reverse pilot channel**. The gain of **the reverse traffic channel is allowed to vary relative to the reverse pilot channel** power between minimum and maximum values. Thus, the reverse rate **control channel has a fixed offset relative to the reverse pilot channel**, while the reverse **traffic channel has a variable offset**. The maximum and minimum values for the reverse traffic channel offset are determined by the ratio of the reverse traffic channel power to reverse pilot channel power (the T/P ratio). The maximum traffic channel offset is determined by the maximum T/P ratio, which is referred to herein as $(T/P)_{MAX}$. The minimum offset is determined by the minimum T/P ratio, which is referred to herein as $(T/P)_{MIN}$. (Damnjanovic, para. [0072]; emphasis added).

FIG. 10 is a graph illustrating the transmit power level of a mobile station 100 on the reverse pilot, traffic, and rate control channels in a third embodiment of the present invention. In the third embodiment, the gain of the reverse **traffic channel is allowed to vary relative to the reverse pilot channel** power between minimum $(T/P)_{MIN}$ and maximum $(T/P)_{MAX}$ values. **The gain the reverse rate control channel is fixed relative to the reverse pilot channel** (Damnjanovic, para. [0096]; emphasis added).

In the third embodiment of the present invention, the serving **base station 12 controls the reverse pilot channel transmit power and the reverse rate control channel power, which has a fixed offset relative to the reverse pilot channel**, as long as the T/P ratio is above $(T/P)_{MIN}$. (Damnjanovic, [097], lines 1-5).

While the Damnjanovic reference discloses a fixed gain between the control channel and the pilot channel, the Damnjanovic reference does not disclose in as complete detail as Applicants' claimed invention as recited in amended independent claims 1, 16 and 30 which recite, in part:

Independent Claim 1: ... *adjusting power levels of a first set of channels and a corresponding **pilot channel according to a fixed ratio, the first set of channels including at least one traffic channel**; and adjusting traffic-to-pilot (T/P) ratios for one or more **remaining channels** independently of the power level of the pilot channel;*

Independent Claim 16: ... *adjust a power level for a first set of reverse-link channels including **at least one traffic channel and** a power level for a **pilot channel according to a fixed ratio**, and to separately **adjust a traffic-to-pilot (T/P) ratio for each of one or more additional reverse-link channels**; and*

Independent Claim 30: ... *a first set of reverse-link channels **including at least one traffic channel**, a pilot channel and one or more additional reverse-link channels; and wherein the base station is configured to **adjust power levels for the first set***

of reverse-link channels *and* a power level for *the pilot channel according to a fixed ratio*, and to separately *adjust* a traffic-to-pilot (*T/P*) *ratio for* each of the one or more *additional reverse-link channels*.

Therefore, since the Damnjanovic reference does not disclose “each and every element as set forth in the claim” and the identical invention is not “shown in as complete detail as is contained in the claim”, the Damnjanovic reference cannot anticipate under 35 U.S.C. § 102 Applicants’ invention as presently claimed. Accordingly, Applicants respectfully request the rejections of amended independent claim 1 and claims 2-15 depending therefrom, amended independent claim 16 and claims 17-29 depending therefrom, and amended independent claim 30 and claims 31-41 depending therefrom be withdrawn.

CONCLUSION

Claims 1-41 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants’ undersigned attorney.

Respectfully submitted,

Dated: May 8, 2007

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